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THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
IMPLEMENTATION OF THE RESOLUTIONS OF THE UNITED NATIONS
REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Fifty-first year

Letter dated 23 September 1996 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I have been instructed to bring the following to your immediate attention. The Government of Israel has resumed the drive of settler colonialism in the occupied Palestinian territory, including Jerusalem, which represents an extremely dangerous development. The Government has taken the following decisions and actions in this regard:

- On 2 August 1996, the Israeli Government announced the decision to remove restrictions, which had been set by the previous Government, on settlement activities;

- On 10 September 1996, Israeli authorities placed three caravans (mobile homes) in a settlement, beginning the implementation of a plan approved by the Minister of Defence for the placing of 298 mobile homes in the settlements;

- On 18 September 1996, the Israeli Minister of Defence approved a plan to build 1,800 housing units in one settlement, which represented the last step necessary to effectuate the actual building process;

- On 19 September 1996, Israeli sources announced the approval of a plan to build 2,000 housing units in different settlements. The plan awaits the approval of the Minister of Defence.

Those settlement activities contradict international humanitarian law and many resolutions of United Nations organs, including the Security Council. They also violate the agreements between the Government of Israel and the Palestine Liberation Organization and could reverse the peace process as a whole.

Since the occupation in 1967, different Israeli Governments have continued to pursue the abhorrent policy of settler colonialism, and today there are about 170 colonial settlements in the occupied Palestinian territory with approximately 300,000 Israeli settlers, about half of which are in the area of East Jerusalem. This has all been done through the brutal confiscation of land, the seizure of water and other natural resources and the harassment and the terrorization of the Palestinian people by armed settlers, and it has led to the dismemberment of the Palestinian land.

Israel, the occupying Power, has pursued this drive of settler colonialism in spite of the absolute Palestinian rejection and against clear international objections. The Security Council has repeatedly affirmed the applicability of the fourth Geneva Convention of 1949 to all the territories occupied by Israel since 1967, including Jerusalem, and the illegality of Israeli settlements. In its resolution 446 (1979), the Security Council established a Commission "to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem", and in its resolution 465 (1980) the Council, inter alia, called upon the Government and people of Israel "to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem".

The General Assembly and other bodies of the United Nations repeatedly adopted similar resolutions. Any settlement activity, whether old or new, and any movement of the Israelis to the occupied Palestinian territory, including Jerusalem, is illegal and shall remain so.

Also, settlement activities violate the Declaration of Principles of 1993 and the Interim Agreement on the West Bank and Gaza Strip of 1995, both signed by the Government of Israel and the Palestine Liberation Organization. In the agreements the parties agreed to negotiate the fate of the settlements in the second stage. That definitely means that neither side should create additional facts on the ground that would pre-empt the outcome of negotiations or render those agreements useless. More importantly, opting for the resumption of settlement activities means opting for the opposite of the goals of the peace process. The recent decisions and actions by the Israeli Government indicate a wish to swallow up additional land and to make the realization of the rights of the Palestinian people impossible.

We expect the international community to take a clear and firm position, based on international law and in line with previous United Nations resolutions, against Israel's settlement policy and practices. The international community should also demonstrate a serious willingness to prevent any party from

destructing the peace process and to safeguard that process towards the achievement of a just, comprehensive and lasting peace in the Middle East.

I would be grateful if you would arrange to have the text of the present letter circulated as a document of the General Assembly, under agenda items 33, 35, 54 and 85, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations